



2006
H. J.

**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2100**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>First Named Inventor : Randy J. Longsdorf</p> <p>Appln. No.: 10/719,163</p> <p>Filed : November 21, 2003</p> <p>For : PROCESS DEVICE WITH SUPERVISORY OVERLAYER</p> <p>Docket No.: R11.12-0812</p>	<p>Group Art Unit: 2121</p> <p>Examiner: Sunray Chang</p>
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RESPONSE AFTER FINAL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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PATENT ATTORNEY

This is in response to the Office Action dated July 28, 2006. With this response, all pending claims 1-51 are presented for reconsideration and favorable action.

In the Office Action, the claims were rejected based upon Eryurek (U.S. Patent No. 6,017,143) in view of Sederlund (U.S. Patent No. 6,647,301). Applicant has reviewed these references and it is believed that the present invention is patentably distinct.

In the Office Action, the Examiner cites Eryurek as showing all of the elements except a Safety Integrity Level (SIL). The Examiner turns to the Sederlund reference as showing SIL.

However, the Eryurek reference does not show the elements of the claimed invention. Eryurek, commonly assigned with the present application, relates to performing diagnostics within a process device using some of the same components used in measuring a process variable. For example, in Eryurek et al, the same sensor which is used to measure a process variable is also used to perform diagnostics. This is in contrast to the claimed invention which is used to monitor a process device. For example, the present invention could be used to monitor the process device of